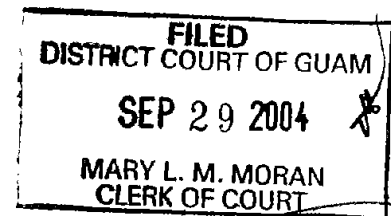


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Counsel for Plaintiffs Alan Sadhwani, et al.

IN THE UNITED STATES
DISTRICT COURT OF GUAM

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

ALAN SADHWANI, LAJU
SADHWANI, and K. SADHWANI'S
INC., a Guam corporation,
Plaintiffs,

vs.

HONGKONG AND SHANGHAI
BANKING CORPORATION, LTD., a
Foreign corporation, JOHN DOE I
through JOHN DOE X,
Defendants.

CIVIL CASE NO. 03-00036

**DECLARATION OF ANITA P.
ARRIOLA IN SUPPORT OF
PLAINTIFFS' EX PARTE MOTION
FOR EXTENSION OF TIME TO
SERVE EXPERT WITNESS
DISCLOSURES; CERTIFICATE OF
COUNSEL (L.R. 7.1(g))**

ANITA P. ARRIOLA declares:

1. I am an attorney for plaintiffs Alan Sadhwani, Laju Sadhwani and K. Sadhwani's Inc. in the above-captioned case. I make this Declaration in support of Plaintiffs' Ex Parte Motion to for Extension of Time to Serve Expert Witness Disclosures. I have personal knowledge of the facts contained herein.

2. On September 27, 2004 I wrote a letter to counsel for defendant Hongkong and Shanghai Banking Corporation, Ltd. ("HSBC"), Jacques Bronze, requesting a stipulation for an extension of time until November 30, 2004 to make expert witness disclosures required under

ORIGINAL

F.R.C.P. 26(a)(2). A true and correct copy of the letter is attached hereto as Exhibit 1. Mr. Bronze did not respond to my letter, thus refusing to stipulate to an extension of time. Bronze did not write to inform me of any prejudice that he or his client might suffer as a result of any extension of time to make the expert witness disclosures.

3. Good cause exists for an extension of time. The trial date in this case is scheduled for January 25, 2005. Under F.R.C.P. 26(a)(2)(C), the expert disclosures must be made by October 27, 2004. Based upon the Stipulation and Order Modifying the Scheduling Order dated August 18, 2004, the discovery deadline is November 17, 2004. As counsel for plaintiffs, I anticipate that we will be taking depositions between October 27, 2004 and November 17, 2004 and continuing to obtain production of documents from HSBC in order to complete discovery in this matter. In particular, I anticipate taking a number of Rule 30(b)(6) depositions during that time. The expert witnesses should have access to all of the depositions and documents produced in this case prior to providing their expert witness reports. This will result in more accurate and complete expert witness reports.

4. Both plaintiffs and defendant will benefit from an extension of time for the expert witness disclosures. If the disclosures are made on October 27, 2004, there is a very high likelihood that the expert witness reports, the data or information considered by the experts, and the statement of opinions will need to be supplemented or revised after the discovery deadline in order to accommodate any depositions or documents produced after October 27, 2004. This would result in additional costs to the parties due to the further work required to be done by the experts. It would also result in incomplete reports that will not be useful to any of the parties.

5. The extension of time to November 30, 2004 will give the expert witnesses sufficient time to complete their reports and will also give the parties sufficient time to take the depositions of the expert witnesses prior to trial.

6. Counsel for the opposing party, HSBC, is Jacques Bronze. I have made a good faith effort to advise Mr. Bronze of the filing of this ex parte application, by letter dated September 27, 2004, which is attached hereto as Exhibit 1. I received no response and therefore I assume that he opposes the ex parte motion and that he wishes to be present at a hearing on the ex parte motion.

I declare under penalty of perjury under the laws of Guam and the laws of the United States that the foregoing is true and correct.

Dated this 29th day of September, 2004.


ANITA P. ARRIOLA

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

CERTIFICATE OF SERVICE

I, ANITA P. ARRIOLA, hereby certify that on September 29, 2004, I caused to be served via hand delivery, a **DECLARATION OF ANITA P. ARRIOLA IN SUPPORT OF PLAINTIFFS' EX PARTE MOTION FOR EXTENSION OF TIME TO SERVE EXPERT WITNESS DISCLOSURES; CERTIFICATE OF COUNSEL (L.R. 7.1(g))** to:

Jacques G. Bronze, Esq.
Bronze & Tang, P.C.
2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913

Dated this 29th day of September, 2004.


ANITA P. ARRIOLA

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

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Jacqueline T. Terlaje

September 27, 2004

VIA FACSIMILE: (671) 647-7671

Jacques G. Bronze, Esq.
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2nd Floor, BankPacific Building
825 S. Marine Drive
Tamuning, Guam 96913

**Re: Sadhwani et al. v. Hongkong Shanghai Banking Corporation, Ltd., et.al,
District Court of Guam, Civil Case No. CV03-00036**

Dear Jacques:

This is written regarding the requirement under F.R.C.P. 26(a)(2)(C) for disclosure of the parties' expert witnesses, including the identity of such expert witnesses as well as their reports.

As the trial is presently scheduled for January 25, 2005, the expert witness reports are due on October 27, 2004. This deadline is prior to the discovery deadline of November 17, 2004. Since I intend to take the depositions of additional witnesses, including several Rule 30(b)(6) depositions of HSBC representatives, between October and the discovery deadline of November 17, 2004, and such depositions should be available to the expert witnesses, I am writing to request if you would stipulate to continuing the Rule 26(a)(2)(C) deadline to November 30, 2004. This should give us sufficient time to review the reports and to take the depositions of the expert witnesses prior to trial. Please let me know if you are agreeable to this stipulation on or before 12 noon September 28, 2004.

If you do not agree, please be informed that I will be filing an ex parte motion to extend the Rule 26(a)(2)(C) deadline to November 30, 2004. If I do not hear from you by 12 noon September 28, 2004, I will assume that you will oppose the motion and that you wish to be present at a hearing on the motion.

Very truly yours,



ANITA P. ARRIOLA

